

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

MISTY BLANCHETTE PORTER, M.D.,

Plaintiff,

vs.

DARTMOUTH-HITCHCOCK MEDICAL
CENTER, DARTMOUTH-HITCHCOCK
CLINIC, MARY HITCHCOCK
MEMORIAL HOSPITAL, and
DARTMOUTH-HITCHCOCK HEALTH,

Defendants.

Case No. 2:17-cv-194

**DEFENDANTS' MOTION FOR CLARIFICATION REGARDING
DEADLINE FOR POST-TRIAL MOTIONS**

Defendants Dartmouth-Hitchcock Medical Center, Dartmouth-Hitchcock Clinic, Mary Hitchcock Memorial Hospital, and Dartmouth-Hitchcock Health (collectively, “Defendants” or “Dartmouth Health”) respectfully submit this Motion for Clarification Regarding Deadline for Post-Trial Motions. Pursuant to Local Rule 7(a)(7), Defendants hereby certify that they have made a good faith attempt to obtain Plaintiff’s agreement to the requested relief, and such agreement was not obtained. In support of this Motion, Dartmouth Health states as follows:

1. On April 10, 2025, the Court issued a docket entry stating: “ORDERED: Parties to file post trial motions due in 28 days.”
2. It is unclear from this docket entry as to when the 28-day timer starts.

3. Pursuant to the Federal Rules of Civil Procedure, including but not limited to Rules 50, 52, and 59, post-trial motions are generally due 28 days *after the entry of judgment*.
4. As of the filing of this Motion, no final judgment has been entered on the docket.
5. Accordingly, Dartmouth Health respectfully requests clarification from the Court as to whether the deadline for filing post-trial motions is intended to be:
 - a. 28-days from the April 10, 2025 docket entry, or
 - b. 28-days from the forthcoming date of entry of judgment, consistent with the Federal Rules of Civil Procedure.
6. Given the express language of the Federal Rules and the absence of an entered judgment at this time, Dartmouth Health respectfully submits that the deadline for any post-trial motions should properly run from the date judgment is entered, not from the April 10, 2025 docket entry.

CONCLUSION

For the foregoing reasons, Dartmouth Health respectfully requests that the Court clarify the deadline for filing post-trial motions and confirm that such motions are due 28-days after the entry of judgment.

Date: April 23, 2025

Respectfully submitted,

/s/ Tristram J. Coffin

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CERTIFICATE OF SERVICE

I hereby certify that, on April 23 2025, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Megan E. Martinez

Megan E. Martinez